

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

ERIC V. JONES

Plaintiff,

v.

FAR LINGS, INC. d/b/a BO LING'S
CHINESE RESTAURANT
Defendant.

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Case No. 09-0696-CV-W-HFS

ORDER

Currently pending before the court is defendant's motion to compel discovery. Specifically, defendant requests that pro se plaintiff be ordered to provide responses to defendant's First Request for Production of Documents and First Interrogatories. Plaintiff did not respond to the motion, and was directed to show cause why the case should not be dismissed for failure to prosecute. Plaintiff failed to respond to this directive also. The docket sheet indicates that recent mailings to plaintiff by regular and certified mail have proven unsuccessful even though plaintiff was obligated to update the court of an address change. Mosley v. Kemna, 2006 WL 1722270 * 1 (E.D.Mo.). Consequently, this action will be dismissed. Id.

Accordingly, it is hereby

ORDERED that defendant's motion to compel discovery (ECF doc. 17) is DENIED as moot.

It is further

ORDERED that this case is DISMISSED without prejudice. It is further

ORDERED that the clerk of the court mail a copy of this order by regular mail, and certified mail return receipt to plaintiff at:

7444 Walrond

Kansas City, Mo. 64132

/s/ Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

June 17, 2010

Kansas City, Missouri